

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

DERRICK JEROME HAWTHORNE,)
)
Petitioner,)
)
v.) Civil Action No. 3:20CV764-HEH
)
EDDIE L. PEARSON)
)
Respondent.)

MEMORANDUM OPINION
(Dismissing Action Without Prejudice)

On October 27, 2020, the Court conditionally docketed Petitioner's action.

Petitioner requested leave to proceed *in forma pauperis*. By Memorandum Order entered on November 18, 2020, the Court directed Petitioner to pay the filing fee of \$5.00 or state under penalty of perjury that he did not have sufficient assets to pay such a fee within eleven (11) days of the date of entry thereof. *See* 28 U.S.C. § 1915(b)(1). Petitioner has neither paid the initial partial filing fee nor averred that he cannot pay such a fee. Therefore, Petitioner is not entitled to proceed *in forma pauperis*. Petitioner's disregard of the Court's directives warrants dismissal of the action. Accordingly, the action will be dismissed without prejudice.

An appropriate Order shall accompany this Memorandum Opinion.



/s/

HENRY E. HUDSON
SENIOR UNITED STATES DISTRICT JUDGE

Date: Dec. 17, 2020
Richmond, Virginia